

### **REMARKS**

The foregoing amendment cancels Claims 1, 2, 13, 17, 18 and 27-29 and amends Claims 3, 7, 14, 15, 19-22 and 25. Claims 3-12, 14-16, and 19-26 are pending in the application. For the reasons set forth below, Applicants believe that the objections and rejections should be withdrawn and that the claims are in condition for allowance.

### **INTERVIEW SUMMARY**

A telephone interview was conducted with the Examiner on August 31, 2009. During the interview the Examiner explained his rejection in the Advisory Action of claim 2 on the grounds of nonstatutory obviousness-type double patenting. In a follow-up interview on September 1, 2009, the Examiner withdrew his rejection of claims 7, 14, 15, 19-22 and 25 on the grounds of nonstatutory obviousness-type double patenting and explained his rejection of claims 13 and 17 on the grounds of nonstatutory obviousness-type double patenting. No agreement was reached during either of the interviews.

### **OBJECTION TO CLAIMS 22 and 25**

In the Office Action, the Examiner objected to Claims 22 and 25 under 37 C.F.R. 1.75(c) and alleged that the claims are of improper independent form for failing to further limit the subject matter of a previous claim. Claims 22 and 25 have been rewritten into independent form, so that this objection is now moot.

### **REJECTION OF CLAIMS 1 AND 27-29**

In the Office Action, the Examiner rejected claims 1 and 27-29 on the grounds of nonstatutory obviousness-type double patenting and alleged that the claims are unpatentable over claims 1-3 and 36 of U.S. Patent No. 7,069,062 (the “’062 patent”) in view of Lee et al. (U.S. PG-Pub. No. 2002/0033729). In the response filed on August 6, 2009, applicant cancelled claims 1 and 27-29 and rewrote claims 2, 7, 13, 14, 15, 17, 19, 20, 21, 22, 25 in independent form, believing that such an amendment would place the claims in condition for allowance. The Examiner did not enter the amendment and alleged for the first time in the

Advisory Action that claims 2, 7, 13-15, 17, 19-22, and 25 include subject matter that is not patentably distinct from the '062 patent.

As described in the Interview Summary, the Examiner has withdrawn the rejection of claims 7, 14, 15, 19-22 and 25 and any claims that depend from these claims. In the Office Action, the Examiner indicated that claims 19-21 would be allowable if rewritten in independent form. Claims 19 -21 have been rewritten in independent form and are now allowable.

**REJECTION OF CLAIM 18 UNDER 35 U.S.C. 102(b)**

The Examiner rejected Claim 18 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,137,375 to Li ("Li"). Claim 18 has been cancelled so that this rejection is now moot.

**CONCLUSION**

The foregoing is submitted as a complete response to the Office Action identified above. Upon entry of this amendment, the case is in condition for allowance and a notice of allowance is respectfully requested. No fees are believed due. The Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account 11-0855. If there are any issues that can be addressed via telephone, the Examiner is asked to contact the undersigned at 404.685.6799.

Respectfully submitted,

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